

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

WU-16J

REPLY TO THE ATTENTION OF:

March 31, 2014

UPS OVERNIGHT

Mr. Kenneth K. Humphreys
FutureGen Industrial Alliance, Inc.
73 Central Park Plaza East
Jacksonville, Illinois 62650

**RE: U. S. Environmental Protection Agency (EPA) Draft Permit Numbers:
IL-137-6A-0001, -0002, -0003, and -0004 for the Wells #1, #2, #3, and #4
(respectively) in Morgan County; Illinois Environmental Protection Agency Permit
Applied for.**

Dear Mr. Humphreys:

The U.S. Environmental Protection Agency has prepared underground injection control (UIC) draft permits for the wells referenced above. Please see the enclosures. We have announced a 45-day period in which the FutureGen Industrial Alliance or any other person may comment on the draft permits.

To preserve your right to appeal any final permit decisions that may be made in this matter under Title 40 of the Code of Federal Regulations (40 C.F.R.) § 124.19, you must either participate in the public hearing or send in written comments on these draft permit decisions. Following such participation, the first appeal for review of any condition of the final permit decision must be made to the Environmental Appeals Board of the EPA. Such a petition must include a statement of the reasons supporting review of the decision, including a demonstration that the issue(s) being raised for review were raised during the public comment period (including any public hearing). The petition should, when appropriate, show that each condition being appealed is based on either, (1) a finding of fact or conclusion of law which is clearly erroneous, or (2) an exercise of discretion or an important policy demonstration which the Environmental Appeals Board should, in its discretion, review. If you wish to request an administrative review, you must submit such a request by regular mail to the U. S. Environmental Protection Agency, Clerk of the Board, Environmental Appeals Board, 1200 Pennsylvania Avenue, N.W., Mail Code 1103M, Washington, D.C. 20460-0001. Requests sent by express mail or hand-delivered must be sent to the U. S. Environmental Protection Agency, Clerk of the Board, Environmental Appeals Board,

1201 Constitution Ave., NW, WJC East, Room 3332, Washington, D.C. 20004. The request must arrive at the Board's office within 33 days of the permit issuance. This includes the 30-day requirement and an additional three days for the delay caused by mailing. The request will be timely if received within this time period. For this request to be valid, it must conform to the requirements of 40 C.F.R. § 124.19. According to 40 C.F.R. § 124.10(b) and § 124.20(d), a public notice of the preparation of a draft permit shall allow at least a 30-day public comment period and three days to account for the delay caused by mailing. At the end of the public comment period you will be notified if any significant changes in the draft permit are required. If no changes are made, the final permit will be issued without prior notification.

If you have any questions, please contact Jeffrey McDonald of my staff by telephone at (312) 353-6288 or by email to mcdonald.jeffrey@epa.gov.

Sincerely,



Tinka G. Hyde
Director, Water Division

enclosures

cc: Steve Nightingale, Illinois EPA